

Public Works (1897) Department.

G.O., No. 722

DATED 3 August 1897

3/8/97

[Despatch Abstract.]

Suit, End^t from S.E. th with intimating
that the — to close a sluice in the
Kodalan channel in Timmerville D^y
has been withdrawn by the plaintiffs,
Recorded.

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BACK PAPERS.

FURTHER PAPERS.

IRRIGATION.
ESTABLISHMENT.

Government { 1897 } of Madras.
PUBLIC WORKS.

Recd.

Regd.

1897.

Enclosures

Spare copies

G.O., No. 722 I., 3rd August 1897.

AUGUST.

Snit

Endorsement from Superintending Engineer, VI Circle, intimating that the — to close a sluice in the Kodagan channel, in Tinnevely division, has been withdrawn by the plaintiffs, recorded.

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

Irrigation.
Establishment.

READ—the following papers:—

From M.R.Ry. A. SUNDARASASTRI, Avergal, Government Pleader, Tinnevelly, to the Executive Engineer, Tinnevelly Division, dated Kailasapuram, 9th July 1897, No. 38.

I have the honour to inform you that the plaintiffs in O.S. No. 120/96, * on the file of the additional District Munsif's Court, Tinnevelly, put in a petition for withdrawing the suit with permission to bring a fresh one, if so advised, and they have been permitted to do so in spite of defendant's opposition by the District Munsif, and the costs of the defendant has been ordered to be paid.

No. 2395.

Copy forwarded to the Superintending Engineer, VI Circle, for information, with reference to his No. 535 T.N., dated 9th May 1896, on G.O., No. 360 I., dated 24th April 1896.

12th July 1897.

(Signed) S. GOPALAKRISHNA AIYAR,
Executive Engineer.

No. 606 T.N.

Copy submitted to the Chief Engineer for Irrigation, for information, with reference to the Government Order quoted above.

17th July 1897.

(Signed) O. V. BODDY, Lt.-Col., R.E.,
Superintending Engineer, VI Circle.

ORDER—No. 722 I., dated 3rd August 1897.

Recorded.

(True Extract.)

(Signed) W. HUGHES,
Joint Secy. to Government,
Irrigation Branch.

To the Chief Engineer for Irrigation.
" Superintending Engineer, VI Circle.
" Examiner, Public Works Accounts.
" Revenue Department.

Exd. T. K. Narayana Aiyangar.

Public Works (1897) Department.

No 722 I. 3-8-97.

CURRENT No. ~~1111~~

7681

Withdrawal of a suit to close a sluice in the Kodagan channel - Tinnevelly Div.

Order

Recorded.

A.H. 26.7.97

W.H.

21.7.97

From

The Supy Engineer
VI. Circle.

No. 606 T.N.

Dated 17th July 1897.

Received 20 - 8 - 97

Enclosures 3-8-97

Spare copies

SUBJECT.

Submitting copy of E. 2
Tinnevelly No 2395. D/12-7-97
that the Plaintiffs
the suit to close a sluice
in the Kodagan Chan
have put in a petition
for withdrawing the same

Paben

Recd from Munsif's office on 24.7.97
& sent to H.E. on 24.7.97

phw/17

Cell 20/7/97

BACK PAPERS.

No.	Date.
R 2488	5-5-96.

FURTHER PAPERS.

No.	Date.
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No. 38.

Kailasapuram.

Tinnevely Railway Station
9 July 1897.

From

The Government Pleader
Tinnevely.

To.

The Executive Engineer,
Tinnevely Du.
Palamcottah.

Sir,

I have the honor to inform you
that the Plaintiffs in Q.S. No. 120/96
on the file of the additional District
Munsiff's Court, Tinnevely, put in a
petition for withdrawing the suit with
permission to bring a fresh one, if so
advised and they have been permitted
to do so in spite of Defendants' oppo-
sition by the District Munsiff and
the costs of the Defendant has been
ordered to be paid.

I have tea

Sd/- A. Sundarabaski
Govt. Pleader

No.

* Suit to close a
channel in the
Kodagur Channel
near Sukkamalli.

No. 2395.

Copy forwarded to the Supg.
Engineer, Trichy, for information, with
reference to his No. 535 T.N. of 9-5-96
on G.O. No. 360 I of 24-4-96.

Sd/- S. Gopalakrishnaiah
Executive Engineer

12. 7. 97.

No. 606. T.N. of 17th July 1897
19th

Copy, submitted to the Chief
Engineer for Irrigation, for informa-
tion, with reference to the G.O. quoted
above.

D. V. Reddy, Lt. Col. R.E.

Superintending Engineer

Trichy

CHIEF ENGINEER
FOR IRRIGATION

20 JUL 1897

41 T.N.

No. 360 I, 24TH APRIL 1896.

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

Irrigation.
Establishment.

READ—the following paper:—

From W. HUGHES, Esq., Superintending Engineer, VI Circle, to the Chief
Engineer for Irrigation, dated Trichinopoly, 30th March 1896, No. 355 T.N.

I have the honour to request permission to defend suit No. 514 of 1895,
brought by certain ryots interested in the Kodagan channel, under the following
circumstances:—

The Pudugramam tank was originally supplied by a sluice $1\frac{1}{2}$ feet square in
the surplus weir in the 9th mile and also received an indefinite supply by leakage
through the shutters of two large vents in the weir. When the number of sluices in the
Kodagan channel was being reduced by the abolition of those which could be dis-
pensed with, the Pudugramam sluice was closed and it was arranged to supply the
tank by keeping raised some of the needle shutters of the surplus vents, but this
method of supplying the tank was so abused that it was resolved to build up the
surplus vents altogether and revert to the old method of supplying the tank by the
sluice $1\frac{1}{2}$ feet square. This was accordingly done, but complaints were made that
the supply to the tank was insufficient and observations showed that this was the
case in 1893, and it was then arranged to enlarge the sluice to $3' \times 2\frac{1}{4}'$ or three
times its former area. From the water returns attached to the Executive Engineer's
letter No. 1191, dated 21st March 1896, I should say the channel supply in that
year was quite exceptionally bad and that it would be difficult to prove that the vent
 $1\frac{1}{2} \times 1\frac{1}{2}$ feet was insufficient in ordinary seasons, if reasonable economy were exer-
cised in the distribution of water from the tank. Probably, if the old vent had been
but slightly enlarged to compensate the ryots for the loss of the leakage through the
weir vents, no complaint would have been made by the lower ryots, but the compara-
tively great size of the new sluice naturally gives rise to the idea that very much
more water is taken from the channel than formerly. The new sluice is under
regulation so that no more water need be let into the tank than required to keep it at
a certain level, but as there is no incentive to economy, the ryots who have the
regulation of the tank sluices (of which there are 9 with a total vent area of 6.2
square feet) may leave them fully open at all times and so pass to their fields a much
larger quantity of water than can be used. In this way the plaintiffs may suffer and
if the principle underlying their arguments that certain villages are entitled only to
a certain proportion of the available water be correct, it is possible they may gain
their case.

The defence must assume that there is a prior claim to supply for the lands
higher up the channel and that from the head of the channel down the lands should
be given a sufficient supply until the whole is exhausted; but even if such an
assumption be correct, there must be coupled with it the obligation to prevent avoid-
able waste. Personally, I think the Pudugramam village is entitled to receive only
such share of the channel water (as nearly as ascertainable) as it received before the
works were altered, but I advocate the defence of the suit in the hope that it may
lead to some clear definition of the rights of the holders of irrigated land.

ORDER—No. 360 I., dated 24th April 1896.

The defence of the suit is authorized at the public expense and the result should be duly reported.

(True Extract.)

(Signed) R. R. E. DRAKE-BROCKMAN, Colonel, R.E.,
Secretary to Govt., P.W.D.,
Irrigation Branch.

To the Superintending Engineer, VI Circle, with enclosures.

- " Chief Engineer for Irrigation.
- " Examiner, Public Works Accounts.
- " Revenue Department.

CHIEF ENGINEER
FOR IRRIGATION.

5-MAY-96

No. 248

IRRIGATION.
ESTABLISHMENT.

Govt. of {1896} Madras.
PUBLIC WORKS.

Dated April, 24th.

Recd.

Encl.

G.O. No. 360 I., 24th April 1896.

APRIL.

Suit

Authorizing the defence, at the public expense, of the — instituted by certain ryots interested in the Kodagan channel regarding the supply sluice to Pudugram tank, Tinnevely division.

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